

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

STATE OF MINNESOTA,

Civil No. 20-1636 (JRT/HB)

Plaintiff,

v.

ORDER FOR REMAND

AMERICAN PETROLEUM INSTITUTE, et al,

Defendants.

Elizabeth C. Kramer, Leigh K. Currie, Oliver J. Larson, and Peter N. Surdo, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 1100, St. Paul, MN 55101; Matthew Kendall Edling and Victor Marc Sher, **SHER EDLING LLP**, 100 Montgomery Street, Suite 1410, San Francisco, CA 94104, for plaintiff.

Eric F. Swanson and Thomas H. Boyd, **WINTHROP & WEINSTINE PA**, 225 South Sixth Street, Suite 3500, Minneapolis, MN 55402; Andrew Gerald McBride, **MCGUIRE WOODS LLP**, 2001 K Street Northwest, Suite 400, Washington, DC 20006; and Brian David Schmalzbach, **MCGUIRE WOODS LLP**, 800 East Canal Street, Richmond, VA 23219, Todd A Noteboom, **STINSON LLP**, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402, for defendant American Petroleum Institute.

Daniel J. Toal and Theodore V. Wells, Jr., **PAUL WEISS RIFKIND WHARTON & GARRISON LLP**, 1285 Avenue of the Americas, New York, NY 10019; Justin Anderson, **PAUL, WEISS RIFKIND WHARTON & GARRISON LLP**, 2001 K Street Northwest, Washington, DC 20006; and Patrick J. Conlon, **EXXON MOBIL CORPORATION**, 22777 Springwoods Village Parkway, Suite N1.4B.388, Spring, TX 77389, Steven L Schleicher, **MASLON LLP**, 225 South 6th Street, Suite 2900, Minneapolis, MN 55402, Todd A Noteboom, **STINSON LLP**, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402 for defendants Exxon Mobil Corporation and ExxonMobil Oil Corporation.

Michelle Schmit and Stephen Andrew Swedlow, **QUINN EMANUEL URQUHART & SULLIVAN LLP**, 191 North Wacker Drive, Suite 2700, Chicago, IL 60606; William Anthony Burck, **QUINN EMANUEL URQUHART & SULLIVAN LLP**, 1300 I Street Northwest, Suite 900, Washington, DC 20005; and Andrew W. Davis, and Todd A. Noteboom, **STINSON LLP**, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402, for defendants Koch Industries, Inc., Flint Hills Resources, LP, and Flint Hills Resources Pine Bend.

The Court filed a Memorandum Opinion and Order (ECF No. 76) granting Plaintiff's Motion to Remand to State Court (ECF No. 32) on March 31, 2021. Defendants appealed the order to the Eighth Circuit Court of Appeals on April 1, 2021. (ECF No. 81) The Eighth Circuit affirmed this Court's Order on March 23, 2023. (ECF No. 123) The Supreme Court of the United States denied a petition for a writ of certiorari on January 9, 2024. (ECF No. 135)

Based on a review of the file, record, and proceedings herein, **IT IS HEREBY ORDERED** that the stay of this case is **LIFTED** and this case is **REMANDED** to state court as previously ordered.

DATED: January 24, 2024
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge